

EXHIBIT C

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

LENNON IMAGE TECHNOLOGIES,
LLC,

Plaintiff,

V.

THE ESTÉE LAUDER COMPANIES,
INC. and
MAKE-UP ART COSMETICS, INC.,

Defendants.

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Civil Action No. 2:20-cv-

JURY TRIAL DEMANDED

**PLAINTIFF LENNON IMAGE TECHNOLOGIES, LLC'S
COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Lennon Image Technologies, LLC, by and through its attorneys, brings this action and makes the following allegations of patent infringement relating to United States Patent No. 6,624,843 (the “’843 patent”). Defendants The Estée Lauder Companies, Inc. (“Estée Lauder”) and Make-up Art Cosmetics, Inc. (“MAC”) infringe Plaintiff’s ’843 patent in violation of the patent laws of the United States of America, 35 U.S.C. § 1 *et seq.*

PARTIES

1. Plaintiff Lennon Image Technologies, LLC is a Texas Limited Liability Company with a place of business at 1910 East Southeast Loop 323, #244, Tyler, Texas 75701.

2. Upon information and belief, Defendant Estée Lauder is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business located at 767 Fifth Avenue, New York, NY 10153. Defendant Estée Lauder may be served with process through its registered agent The Prentice-Hall Corporation System, Inc., 251 Little Falls Drive, Wilmington, Delaware 19808.

3. Upon information and belief, Defendant MAC is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business located at 130 Prince Street, 5th Floor, New York, NY 10012. Defendant MAC may be served with process through its registered agent Corporation Service Company, 251 Little Falls Drive, Wilmington, Delaware 19808.

4. Upon information and belief, Defendant MAC is a wholly owned subsidiary of Defendant Estée Lauder.

JURISDICTION AND VENUE

5. This is an action for patent infringement arising under the patent laws of the United States of America, Title 35, United States Code.

6. This Court has original jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

7. Upon information and belief, Defendants are subject to this Court's general and/or specific personal jurisdiction because they (a) have committed acts of infringement in the State of Texas as alleged below; and/or (b) are engaged in continuous and systematic activities in the State of Texas.

8. Venue is proper in this district under 28 U.S.C. § 1400(b). On information and belief, Defendant Estée Lauder has committed acts of infringement in this District as set forth below, and has regular and established places of business in this District such as, for example, located at 121 East Stacy Road, Fairview, TX 75060; 201 Stacy Road Fairview, TX 75069; 2613 Preston Mall, Frisco, TX 75034; 2609 Preston Road, Frisco, TX 75034; and 2603 Preston Road, Frisco, TX 75034. On information and belief, customers use Defendant Estée Lauder's Accused Instrumentalities (defined below) in this District and, as a direct result of this use, subsequently purchase products at Defendant Estée Lauder's places of business in this District. On information

and belief, Defendant MAC has committed acts of infringement in this District as set forth below, and has regular and established places of business in this District such as, for example, located at 7601 Windrose Avenue, Space No. F115, Plano, TX 75024; 6121 W. Park Blvd., Plano, TX 75093; and 2613 Preston Road, Frisco, TX 75034. On information and belief, customers use Defendant MAC's Accused Instrumentality (defined below) in this District and, as a direct result of this use, subsequently purchase products at Defendant MAC's places of business in this District.

ASSERTED PATENT

9. On September 23, 2003, the United States Patent and Trademark Office issued United States Patent No. 6,624,843 entitled "Customer Image Capture and Use Thereof in a Retailing System," a true copy of which is attached as Exhibit 1. The application that matured into the '843 Patent was filed on December 8, 2000, and claims priority to a provisional application filed on December 10, 1999.

10. On September 22, 2017, the Patent Trial and Appeal Board ("PTAB") issued a "Decision on Appeal" concerning the '843 Patent, confirming the patentability of original claims 5, 8-13, 18, 20, and new claims 22-24, 28, 35, 38-40, 44, and 51. A true and correct copy of the "Decision on Appeal" is attached hereto as Exhibit 2. On September 26, 2018 an Ex Parte Reexamination Certificate issued for the '843 Patent. A true and correct copy of the Ex Parte Reexamination Certificate is attached hereto as Exhibit 3.

11. Plaintiff is the owner by assignment of the '843 Patent and owns all right, title, and interest in the '843 Patent, including the right to sue for and recover all past, present, and future damages for infringement of the '843 Patent.

12. The claimed invention relates to a "method and apparatus for capturing a person's image and using the captured image in a retailing system." Col. 1:13-16. The invention "allows apparel retailers and other purveyors of such items an opportunity to virtually 'dress' the potential

customer in featured merchandise as a virtual “fitting.”” Col. 2:12-15. “Through manipulation of digitized images, an image of the customer in a new apparel style is displayed.” Col. 2:18-20. One embodiment of the ’843 Patent is described in claim 18, which depends on claims 14 and 17, and states as follows:

Claim 14:

A method for manipulating a customer image corresponding to a customer, the method comprising:

- capturing the customer image;
- generating a composite image comprising the customer image and one of at least one apparel style image corresponding to a potential purchase item;
- displaying the composite image thereby allowing the customer to assess the potential purchase item without having to try it on; and
- storing the customer image,

wherein the step of generating the composite image further comprises retrieving the customer image in response to a request for the composite image.

Claim 17:

The method of claim 14, wherein the step of displaying further comprises:

- detecting presence of a person near a display;
- determining that the person corresponds to the customer image; and
- displaying the composite image in response to the step of determining.

Claim 18:

The method of claim 17, wherein the step of determining further comprises comparing biometric information of the person with the customer image.

ACCUSED INSTRUMENTALITIES AND BACKGROUND

13. Defendants are engaged in the business of selling cosmetic products.

Estée Lauder

14. Defendant Estée Lauder engages in electronic commerce conducted on and using at least, but not limited to, the websites <https://www.esteelauder.com> and <https://m.esteelauder.com>.

15. On information and belief, Defendant Estée Lauder owns, operates, and/or directs the operation of a web-based virtual try-on tool, which is available for use at, for example, <https://www.esteelauder.com/product/649/29657/product-catalog/makeup/lips/lipstick/pure-color-envy/sculpting-lipstick#> (the “Estée Lauder Website Try-On Tool”).

16. On information and belief, Defendant Estée Lauder also owns, operates, and/or directs the operation of a mobile web-based virtual try-on tool, which is available for use at, for example, <https://m.esteelauder.com/product/643/22830/product-catalog/makeup/face/foundation/double-wear/stay-in-place-makeup?beauty-virtual-try-on#/shade/0N1-Alabaster---Neutral-Undertone> (the “Estée Lauder Find Your Shade Tool”).

17. On information and belief, Defendant Estée Lauder has made and continues to make available to its customers the Estée Lauder Website Try-On Tool and the Find Your Shade Tool for manipulating an image corresponding to a customer.

18. Defendant currently provides and/or has provided website visitors access to its site, <https://www.esteelauder.com>, including the page <https://www.esteelauder.com/product/649/29657/product-catalog/makeup/lips/lipstick/pure-color-envy/sculpting-lipstick#>, which provides direction for website visitors to access and use the Estée Lauder Website Try-On Tool.

19. Defendant Estée Lauder also currently provides and/or has provided mobile website visitors access to its site, <https://m.estelauder.com>, including the page <https://m.estelauder.com/product/643/22830/product-catalog/makeup/face/foundation/double-wear/stay-in-place-makeup?beauty-virtual-try-on#/shade/0N1-Alabaster---Neutral-Undertone>, which provides direction for mobile website visitors to access and use the Estée Lauder Find Your Shade Tool.

20. Defendant Estée Lauder allows customers to purchase its products using the Estée Lauder Website Try-On Tool and the Estée Lauder Find Your Shade Tool.

MAC

21. Defendant MAC engages in electronic commerce conducted on and using at least, but not limited to, the website <https://www.maccosmetics.com>.

22. On information and belief, Defendant MAC owns, operates, and/or directs the operation of a web-based virtual try-on tool, which is available for use at, for example, <https://www.maccosmetics.com/product/13854/310/products/makeup/lips/lipstick/matte-lipstick#!/shade/Marrakesh> (the “MAC Website Try-On Tool”).

23. On information and belief, Defendant MAC has made and continues to make available to its customers the MAC Website Try-On Tool for manipulating an image corresponding to a customer.

24. Defendant currently provides and/or has provided website visitors access to its site, <https://www.maccosmetics.com>, including the page <https://www.maccosmetics.com/virtual-try-on>, which provides direction for website visitors to access and use the MAC Website Try-On Tool.

25. Defendant MAC allows customers to purchase its products using the MAC Website Try-On Tool.

26. The Estée Lauder Website Try-on Tool, Estée Lauder Find Your Shade Tool, MAC Website Try-on Tool, and all similarly virtual try-on tools of Defendants are collectively referred to herein as the “Accused Instrumentalities.”

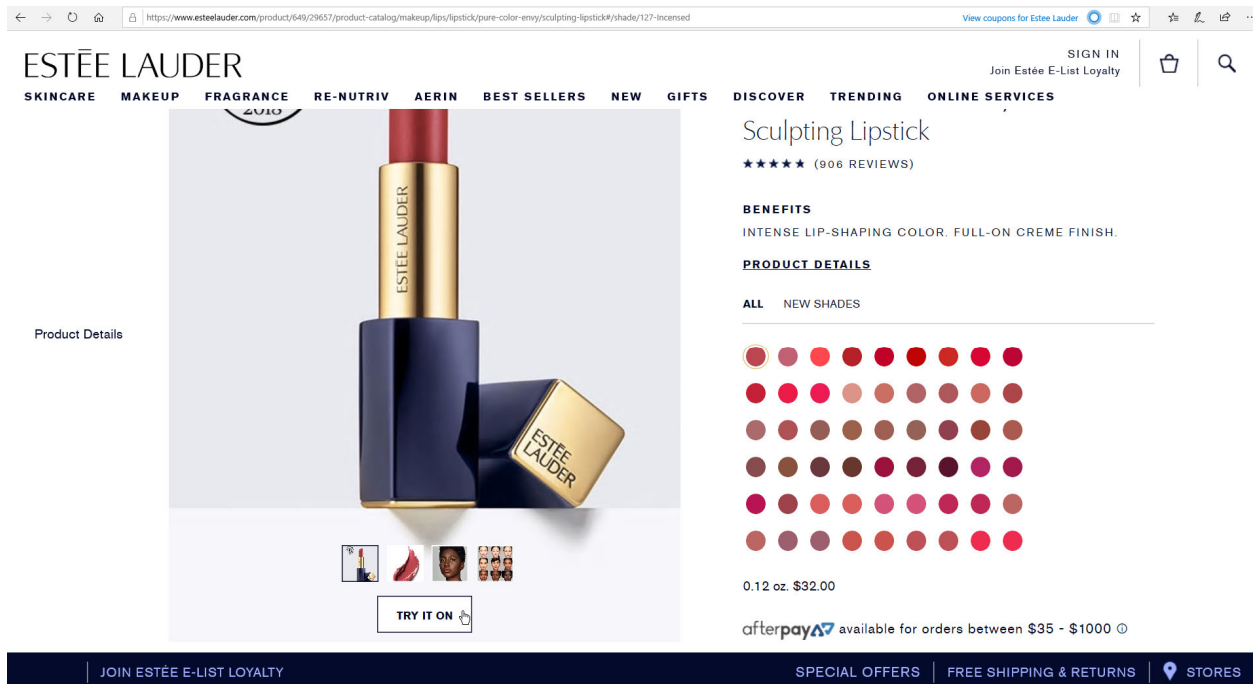
INFRINGEMENT OF U.S. PATENT NO. 6,624,843

27. Plaintiff incorporates paragraphs 1 through 26 as though fully set forth herein.

Estée Lauder

28. Defendant Estée Lauder’s Website Try-on Tool provides a method for manipulating a customer image corresponding to a customer.

29. The Estée Lauder Website Try-on Tool captures a customer image. For example, the Estée Lauder Website Try-on Tool accesses a user’s computing device’s camera, or similar input device, to capture a customer image, as shown below:



← → ↻ 🏠 <https://www.esteelauder.com/product/649/29657/product-catalog/makeup/lips/lipstick/pure-color-envy/sculpting-lipstick/shade/127-incensed> View coupons for Estée Lauder

ESTÉE LAUDER SIGN IN
Join Estée E-List Loyalty

SKINCARE MAKEUP FRAGRANCE RE-NUTRIV AERIN BEST SELLERS NEW GIFTS DISCOVER TRENDING ONLINE SERVICES

Product Details

Try It Now

LIVE CAMERA

UPLOAD PHOTO

OR

CHOOSE A MODEL

Sculpting Lipstick

★★★★★ (906 REVIEWS)

BENEFITS
INTENSE LIP-SHAPING COLOR. FULL-ON CREME FINISH.

PRODUCT DETAILS

ALL NEW SHADES

0.12 oz. \$32.00

afterpay available for orders between \$35 - \$1000

JOIN ESTÉE E-LIST LOYALTY SPECIAL OFFERS FREE SHIPPING & RETURNS STORES

← → ↻ 🏠 <https://www.esteelauder.com/product/649/29657/product-catalog/makeup/lips/lipstick/pure-color-envy/sculpting-lipstick/shade/127-incensed> View coupons for Estée Lauder

ESTÉE LAUDER SIGN IN
Join Estée E-List Loyalty

SKINCARE MAKEUP FRAGRANCE RE-NUTRIV AERIN BEST SELLERS NEW GIFTS DISCOVER TRENDING ONLINE SERVICES

Product Details

WEBCAM DETECTED

Click "Allow" above and start trying on shades!

NEW SHADES

Pure Color Envy
Sculpting Lipstick

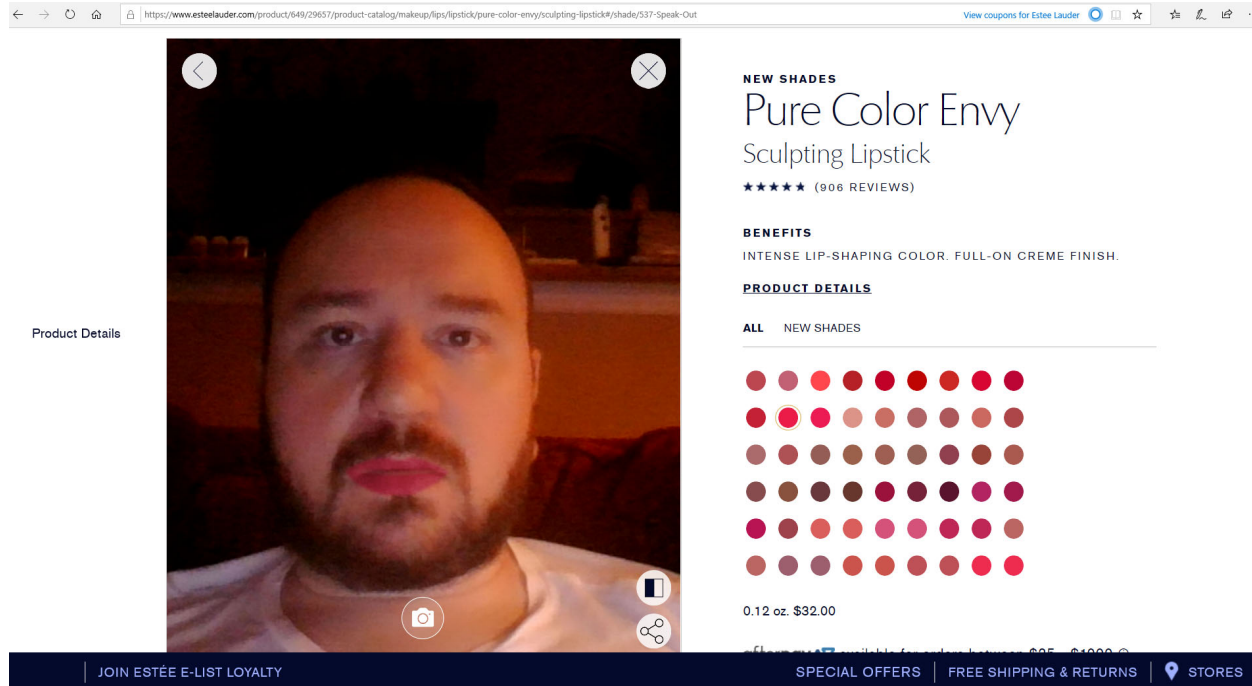
★★★★★ (906 REVIEWS)

BENEFITS
INTENSE LIP-SHAPING COLOR. FULL-ON CREME FINISH.

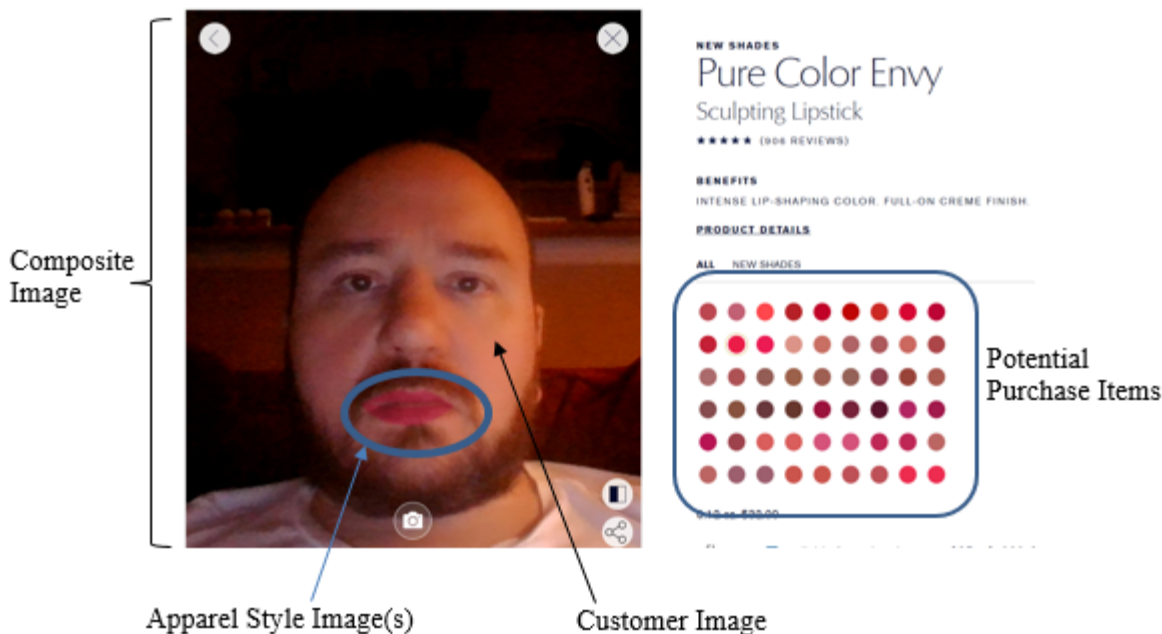
PRODUCT DETAILS

ALL NEW SHADES

JOIN ESTÉE E-LIST LOYALTY SPECIAL OFFERS FREE SHIPPING & RETURNS STORES



30. The Estée Lauder Website Try-on Tool generates a composite image comprising the customer image and one of at least one apparel style image corresponding to a potential purchase item including by retrieving the customer image in response to a request for the composite image. For example, as shown below, using the Estée Lauder Website Try-on Tool, a customer may select from a variety of makeup products (*i.e.*, potential purchase items). For each selected product, the Estée Lauder Website Try-on Tool generates a composite image comprising the customer image and at least one apparel style image, which corresponds to a potential purchase item. Defendant Estée Lauder retrieves the customer image from the user's computing device, Estée Lauder's server(s), or both in response to a request for a composite image, such as in response to a user's selection of a particular product.

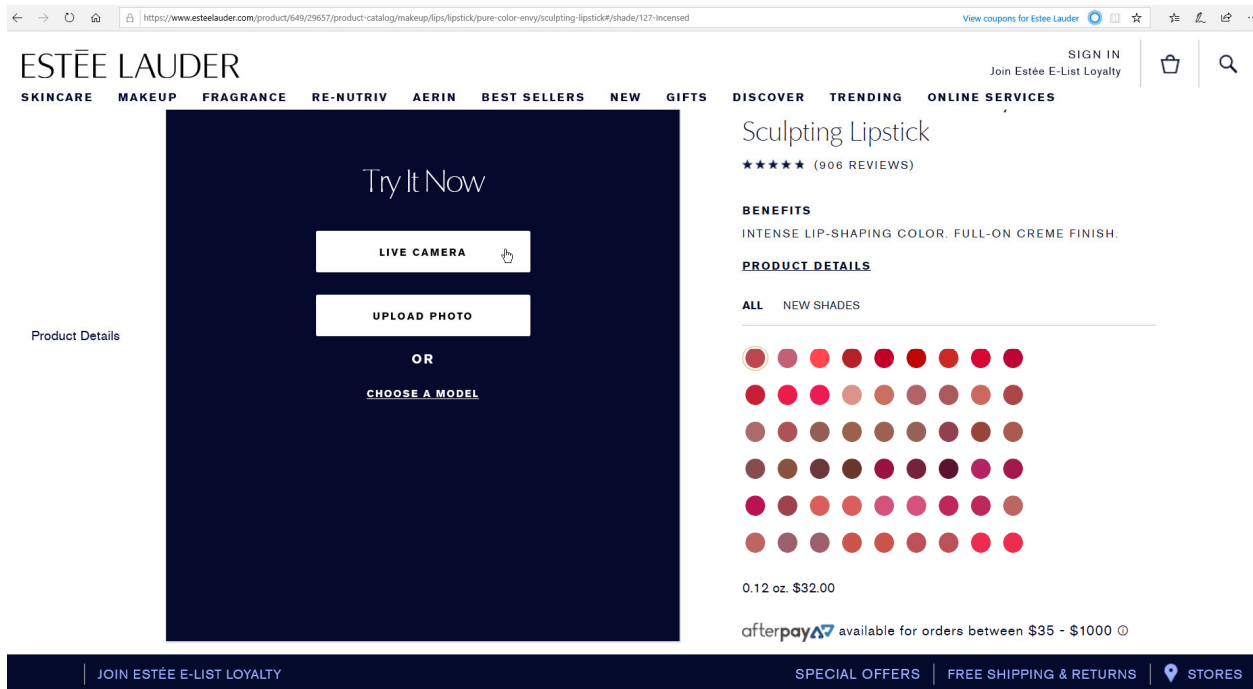


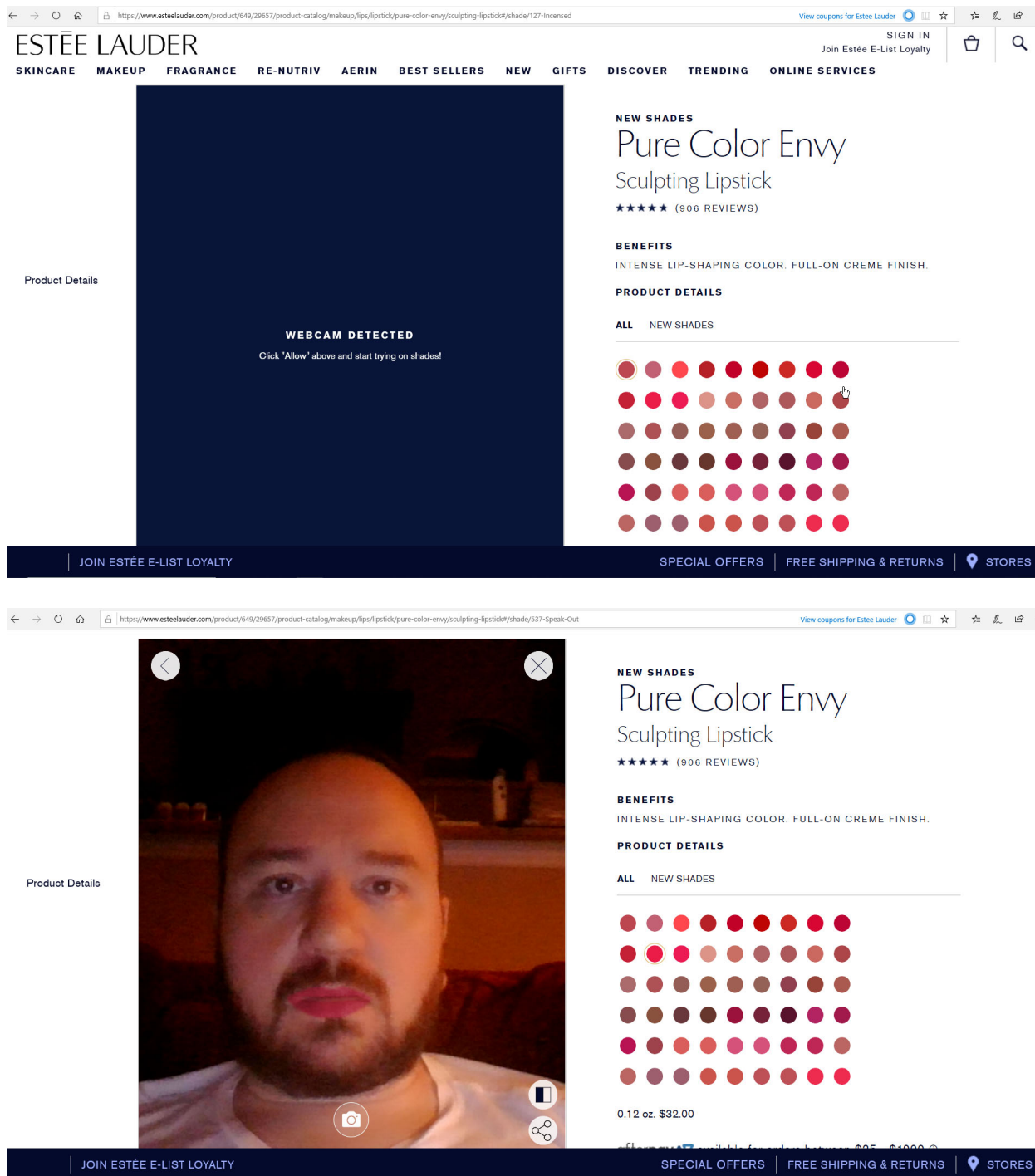
31. The Estée Lauder Website Try-on Tool displays the composite image thereby allowing the customer to assess the potential purchase item without having to try it on. For example, the Estée Lauder Website Try-on Tool displays images of the customer and the at least one apparel style image on the user's mobile device such that the user is able to assess a potential purchase item, such as Estée Lauder "Pure Color Envy Sculpting Lipstick," without having to try it on, as shown above.

32. As shown below, the Estée Lauder Website Try-on Tool stores the customer image, for example, on the user's computing device, Estée Lauder's server(s), or both. The Estée Lauder Website Try-on Tool retrieves the customer image in response to a request for the composite image. For example, Estée Lauder retrieves the customer image from the user's computing device, Estée Lauder's server(s), or both in response to a request for a composite image, such as in response to a user's selection of a particular product, for example, such as Estée Lauder "Pure Color Envy Sculpting Lipstick."

33. Additionally, the Estée Lauder Website Try-on Tool displays the composite image by (a) detecting the presence of a person near a display; (b) determining that the person corresponds to the customer image; and (c) displaying the composite image in response to the step of determining.

34. For example, the Estée Lauder Website Try-on Tool detects the presence of a person near a camera or similar video input apparatus of a user's mobile device, as shown below:

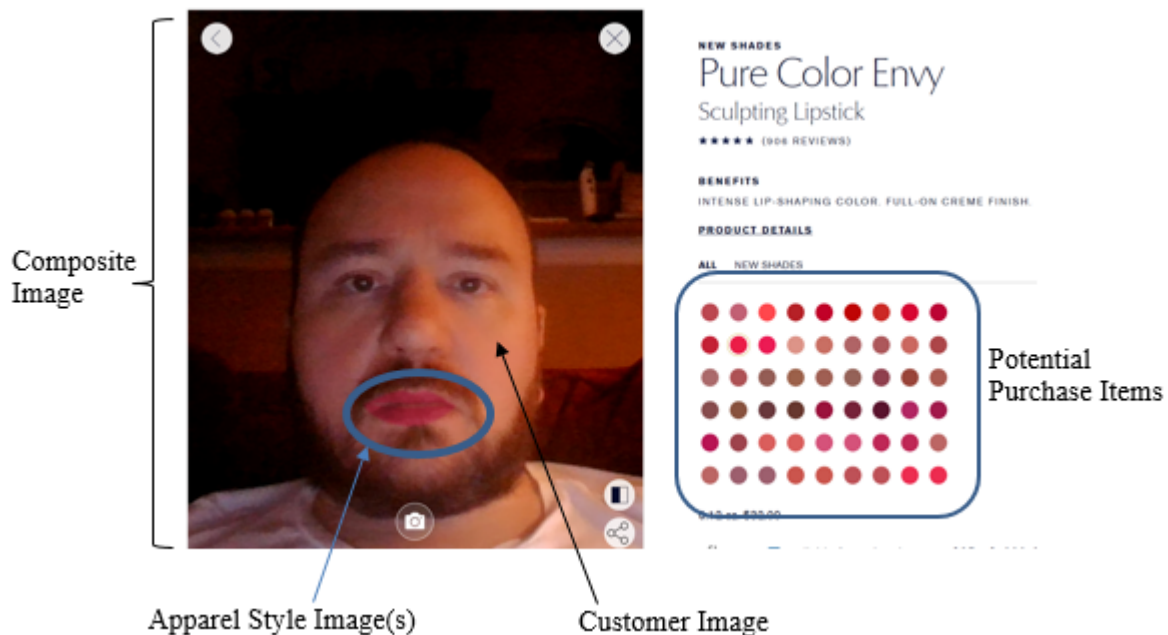




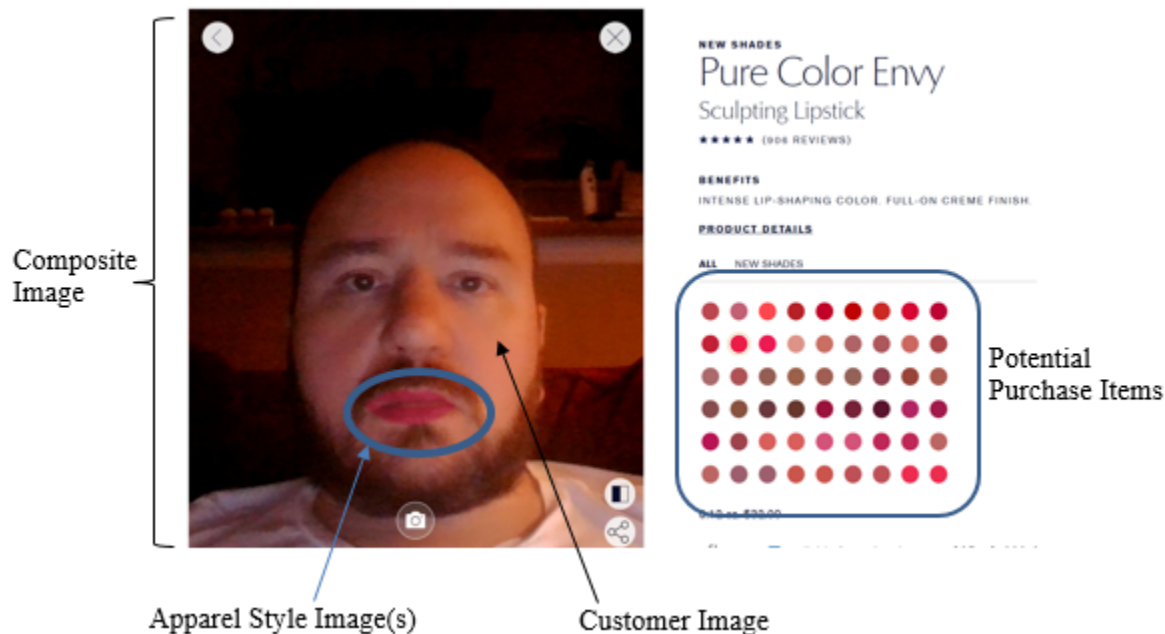
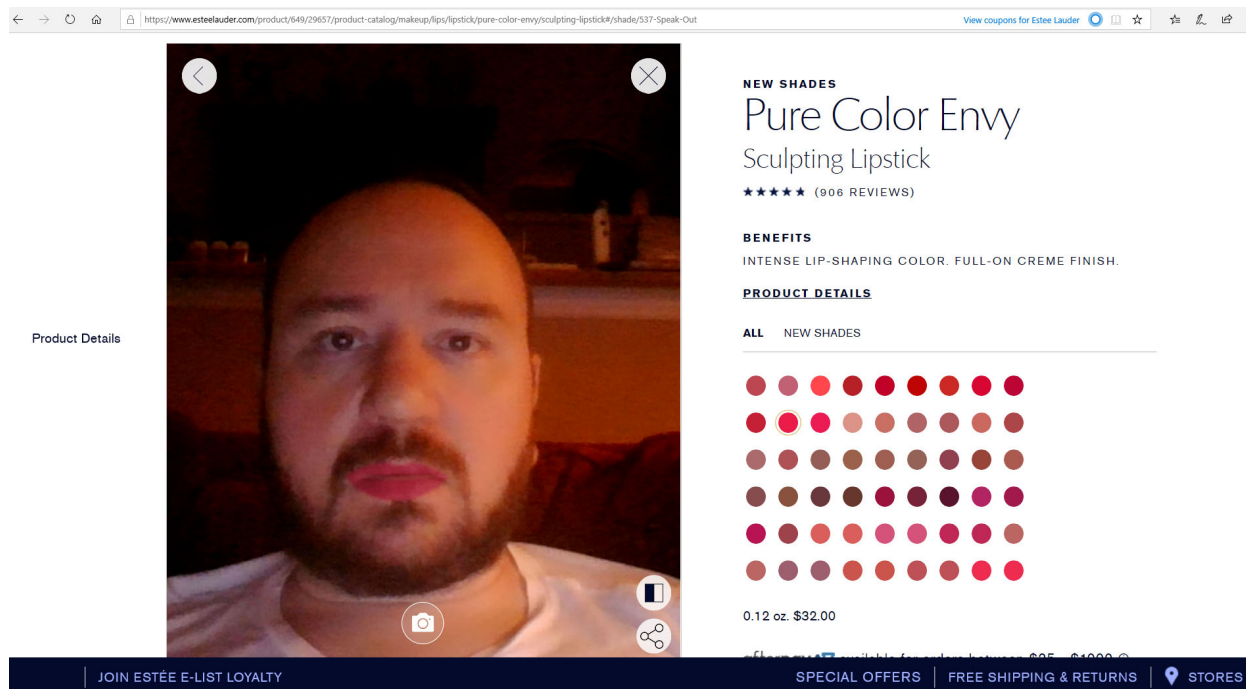
35. The Estée Lauder Website Try-on Tool determines that the person corresponds to the customer image by analyzing the input image and searching for the person's face within the input image. If the person's face within the input image, near the display, is appropriately

positioned within the detection area, then Estée Lauder Website Try-on Tool determines that the person corresponds to the customer image.

36. Once the Estée Lauder Website Try-on Tool has determined that the person corresponds to the customer image, a composite image is displayed using the customer image and the at least one apparel style image, such as Estée Lauder “Pure Color Envy Sculpting Lipstick,” as shown below:



37. Furthermore, the Estée Lauder Website Try-on Tool determines that the person corresponds to the customer image by comparing biometric information of the person with the customer image. For example, the Estée Lauder Website Try-on Tool compares the size and/or shape of the customer’s facial features, such as lips, with respect to the customer image, as shown below:



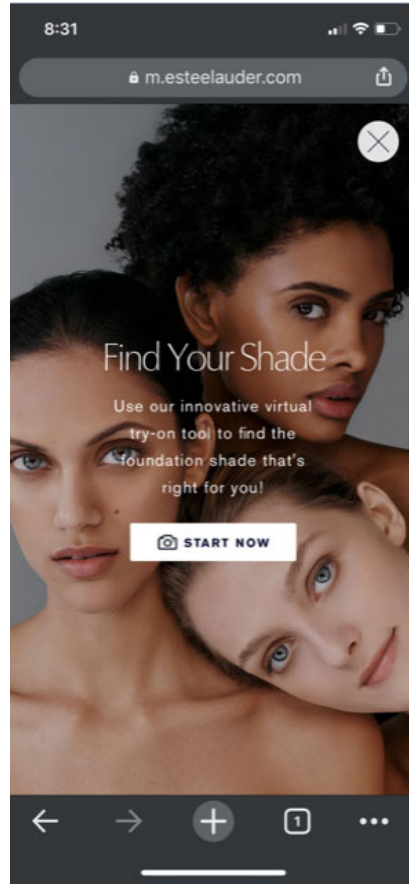
38. Accordingly, Defendant Estée Lauder has been and is now directly infringing one or more claims of the '843 Patent, including Claim 18, in violation of 35 U.S.C. § 271(a), by making, using, selling, offering for sale or importing in the United States its Estée Lauder Website

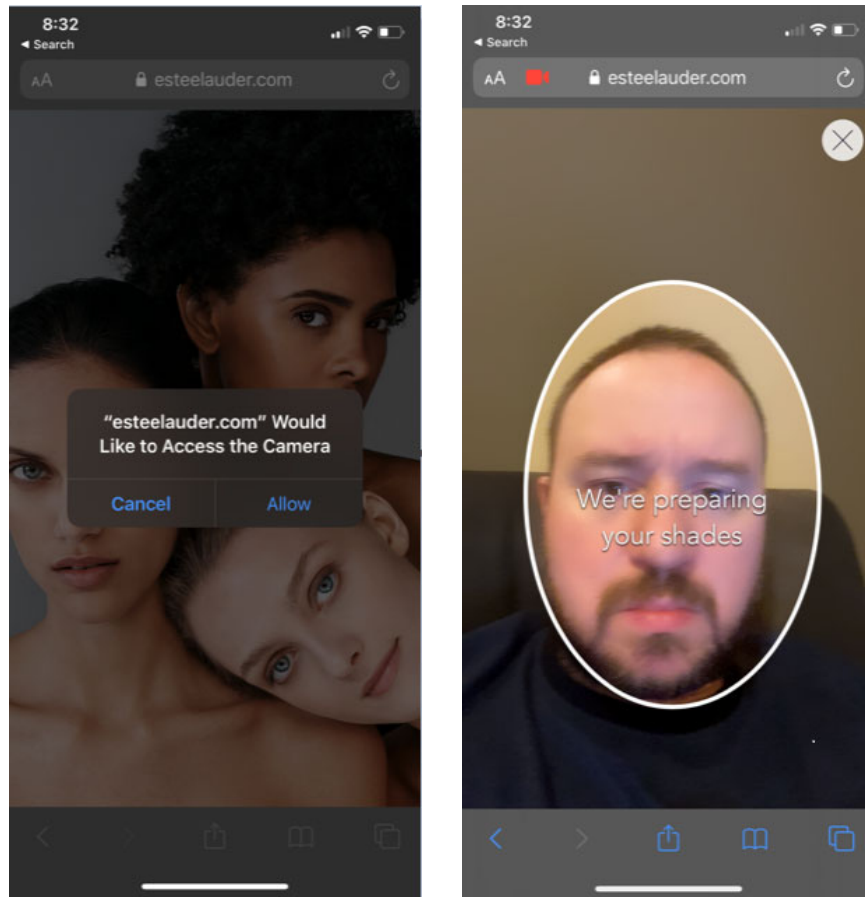
Try-on Tool and Estée Lauder Find Your Shade Tool, which manipulate a customer image corresponding to a customer.

39. In addition and/or in the alternative, Defendant Estée Lauder has been and/or is now indirectly infringing one or more claims of the '843 Patent and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271(b) by inducing its customers to directly infringe the '843 Patent through their use of the infringing Estée Lauder instrumentalities. Defendant induces such infringement by at least making its Estée Lauder Website Try-on Tool and Estée Lauder Find Your Shade Tool available to customers and providing links and directions to the same as well as providing instructions on their proper use and operation.

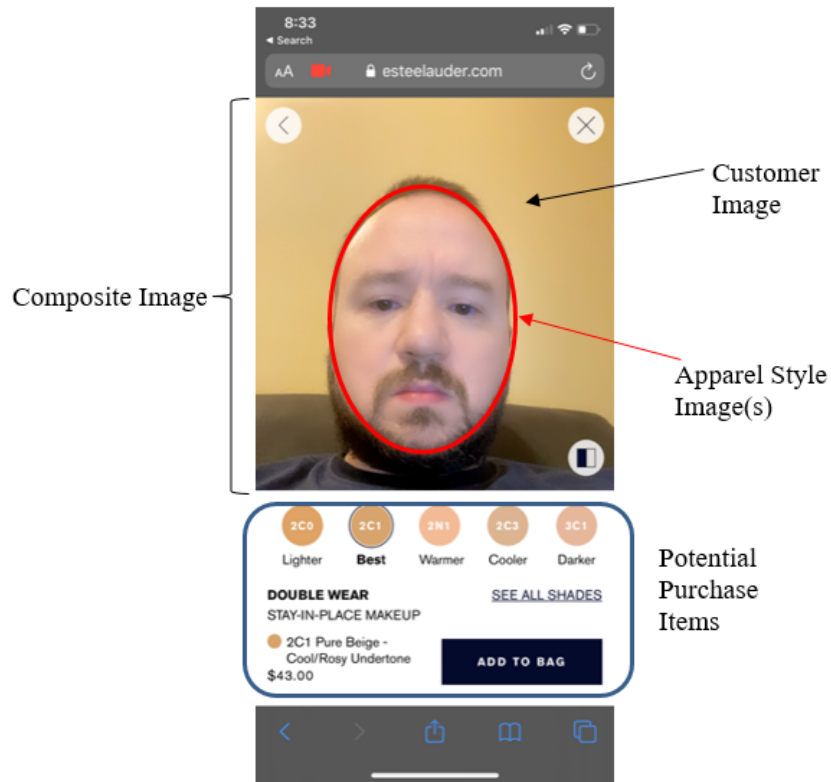
40. Defendant Estée Lauder's Website Try-on Tool also provides a method for manipulating a customer image corresponding to a customer.

41. The Estée Lauder Find Your Shade Tool captures a customer image. For example, the Estée Lauder Find Your Shade Tool accesses a mobile device's camera, or similar input device, to capture a customer image, as shown below:





42. The Estée Lauder Find Your Shade Tool generates a composite image comprising the customer image and one of at least one apparel style image corresponding to a potential purchase item including by retrieving the customer image in response to a request for the composite image. For example, as shown below, using the Estée Lauder Find Your Shade Tool, a customer may select from a variety of makeup products (*i.e.*, potential purchase items). For each selected product, the Estée Lauder Find Your Shade Tool generates a composite image comprising the customer image and at least one apparel style image, which corresponds to a potential purchase item. Defendant Estée Lauder retrieves the customer image from the user's iOS device, Estée Lauder's server(s), or both in response to a request for a composite image, such as in response to a user's selection of a particular product.



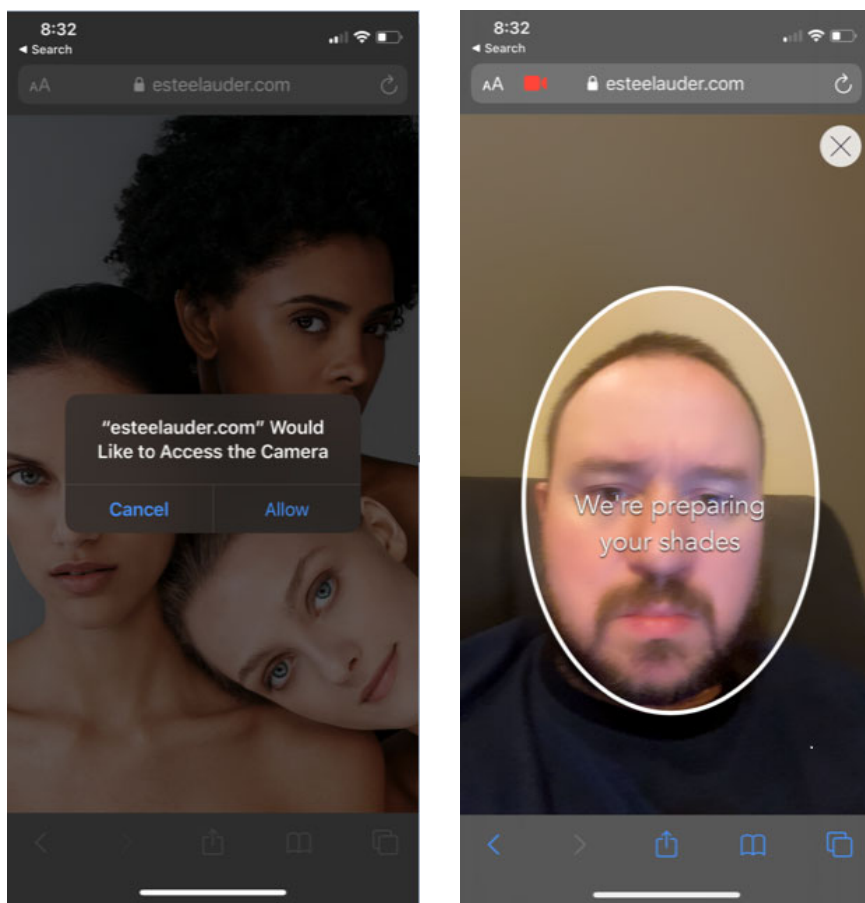
43. The Estée Lauder Find Your Shade Tool displays the composite image thereby allowing the customer to assess the potential purchase item without having to try it on. For example, the Estée Lauder Find Your Shade Tool displays images of the customer and the at least one apparel style image on the user's mobile device such that the user is able to assess a potential purchase item, such as Estée Lauder "Double Wear Stay-In-Place Makeup 2C1 Pure Beige," without having to try it on, as shown above.

44. As shown below, the Estée Lauder Find Your Shade Tool stores the customer image, for example, on the user's iOS device, Estée Lauder's server(s), or both. The Estée Lauder Find Your Shade Tool retrieves the customer image in response to a request for the composite image. For example, Estée Lauder retrieves the customer image from the user's iOS device, Estée Lauder's server(s), or both in response to a request for a composite image, such as in response to

a user's selection of a particular product, for example, such as Estée Lauder "Double Wear Stay-In-Place Makeup 2C1 Pure Beige."

45. Additionally, the Estée Lauder Find Your Shade Tool displays the composite image by (a) detecting the presence of a person near a display; (b) determining that the person corresponds to the customer image; and (c) displaying the composite image in response to the step of determining.

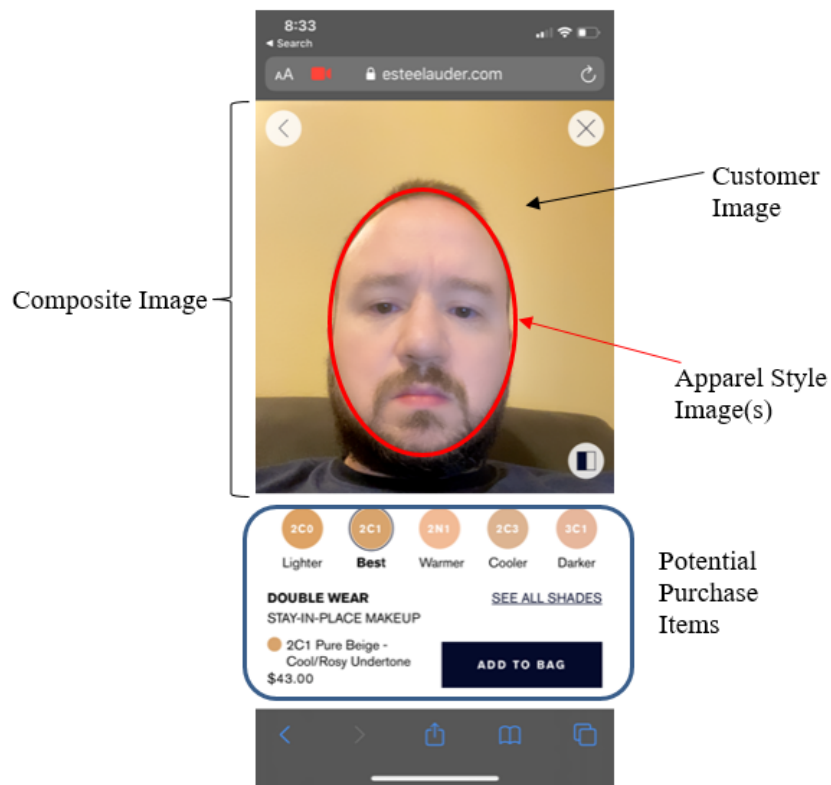
46. For example, the Estée Lauder Find Your Shade Tool detects the presence of a person near a camera or similar video input apparatus of a user's mobile device, as shown below:



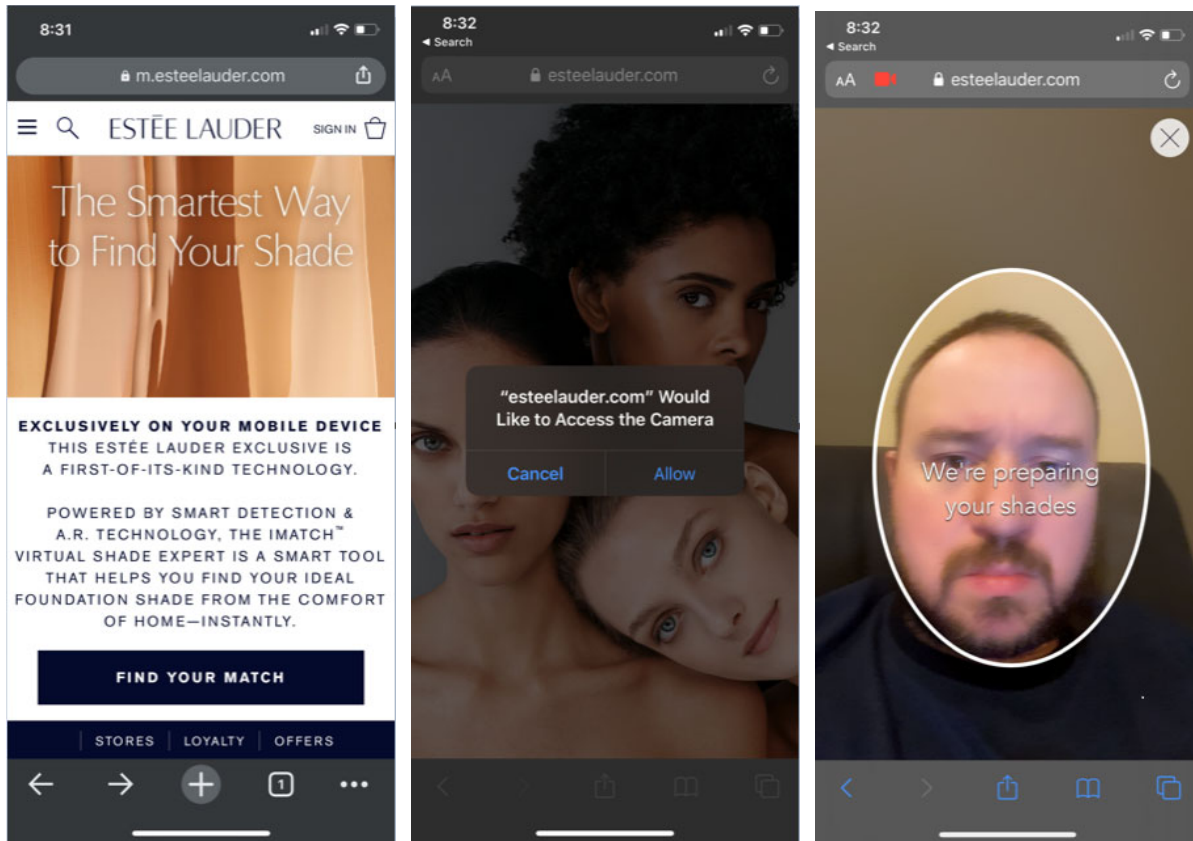
47. The Estée Lauder Find Your Shade Tool determines that the person corresponds to the customer image by analyzing the input image and searching for the person's face within the input image. If the person's face within the input image, near the display, is appropriately

positioned within the detection area, then Estée Lauder Find Your Shade Tool determines that the person corresponds to the customer image.

48. Once the Estée Lauder Find Your Shade Tool has determined that the person corresponds to the customer image, a composite image is displayed using the customer image and the at least one apparel style image, such as Estée Lauder “Double Wear Stay-In-Place Makeup 2C1 Pure Beige,” as shown below:



49. Furthermore, the Estée Lauder Find Your Shade Tool determines that the person corresponds to the customer image by comparing biometric information of the person with the customer image. For example, the Estée Lauder Find Your Shade Tool utilizes, “smart detection & A.R. technology” to compares the size, shape, and/or color of the customer’s face and facial features with respect to the customer image, as shown below:



50. Accordingly, Defendant Estée Lauder has been and is now directly infringing one or more claims of the '843 Patent, including Claim 18, in violation of 35 U.S.C. § 271(a), by making, using, selling, offering for sale or importing in the United States its Estée Lauder Website Try-on Tool and Estée Lauder Find Your Shade Tool, which manipulate a customer image corresponding to a customer.

51. In addition and/or in the alternative, Defendant Estée Lauder has been and/or is now indirectly infringing one or more claims of the '843 Patent and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271(b) by inducing its customers to directly infringe the '843 Patent through their use of the infringing Estée Lauder instrumentalities. Defendant induces such infringement by at least making its Estée Lauder Website Try-on Tool

and Estée Lauder Find Your Shade Tool available to customers and providing links and directions to the same as well as providing instructions on their proper use and operation.

52. On February 5, 2018, Plaintiff's counsel sent a letter to Defendant Estée Lauder via Certified Mail, and notified Estée Lauder that the virtual try-on interface available at <https://www.estelauder.com> infringes the '843 Patent and that Estée Lauder should obtain a license to practice the invention. Plaintiff's counsel never received a response from Estée Lauder.

53. Hence, Defendant Estée Lauder engages in the infringing activities described above knowingly and, at least from the time of receipt of Plaintiff's letter of February 5, 2018, has done so with the knowledge that such activity encourages end users to directly infringe the '843 Patent.

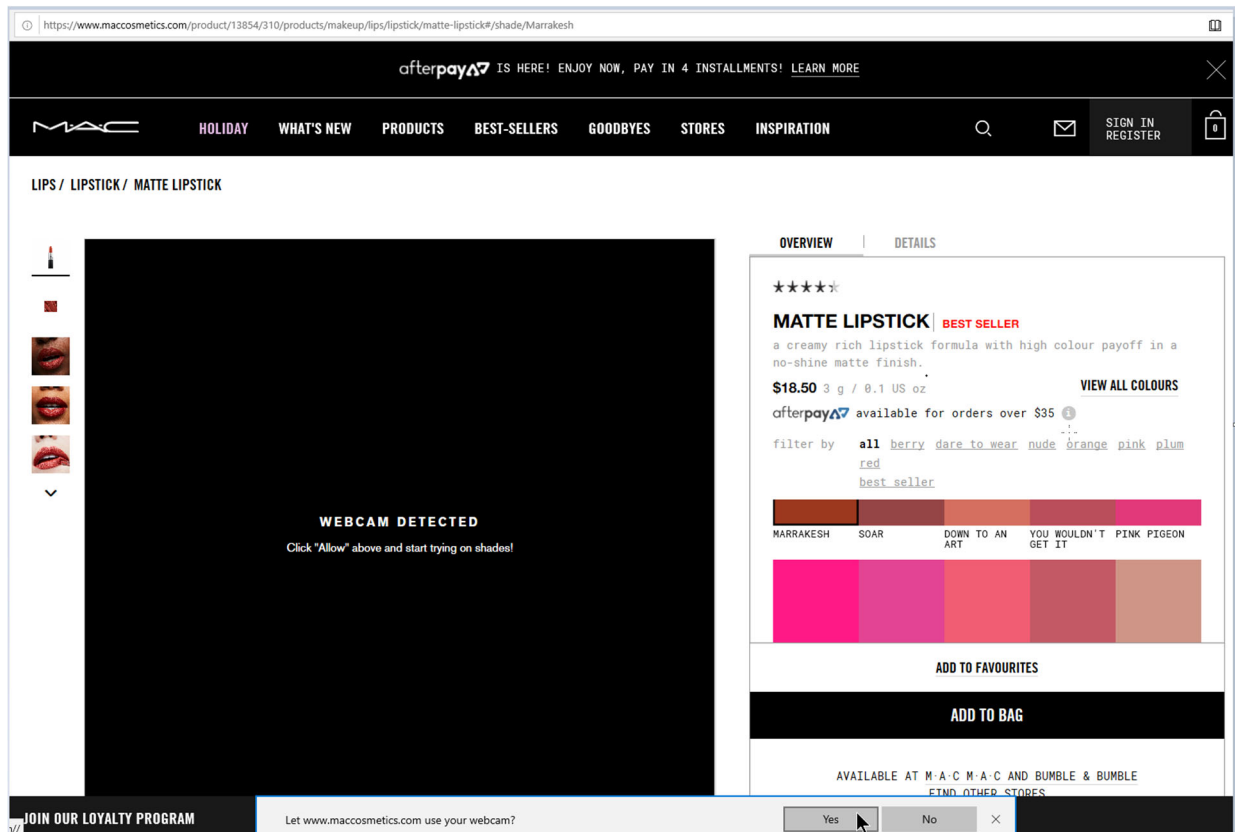
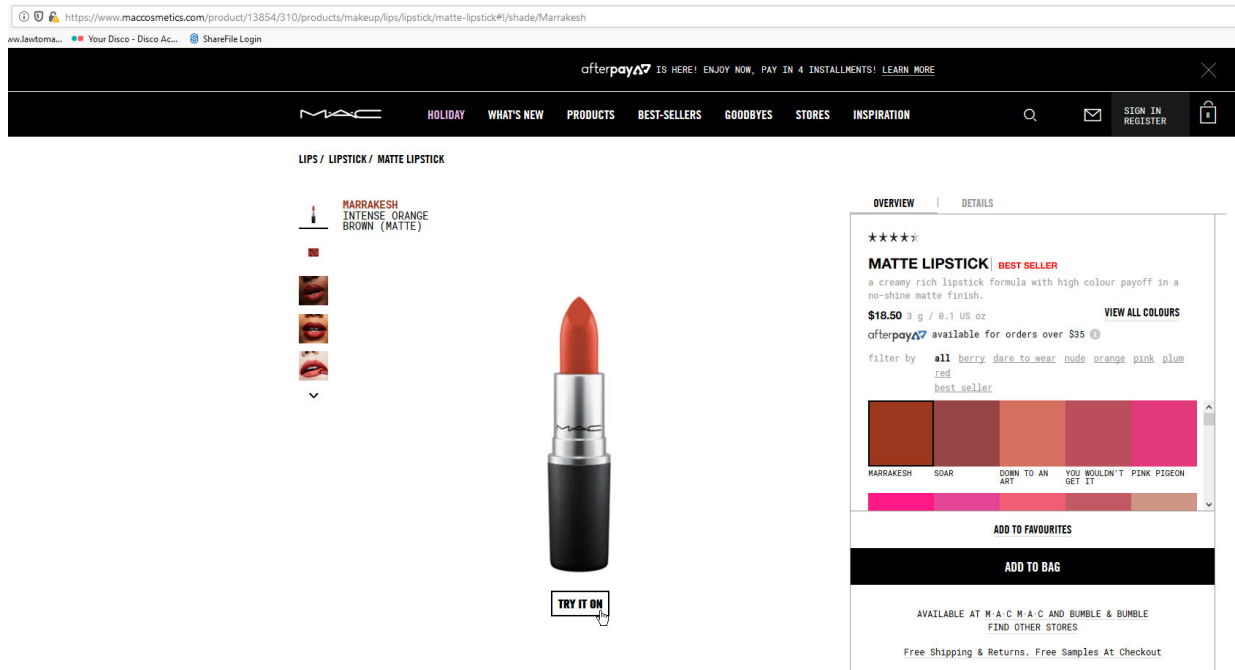
54. Defendant Estée Lauder's infringement of the '843 Patent has been and continues to be willful.

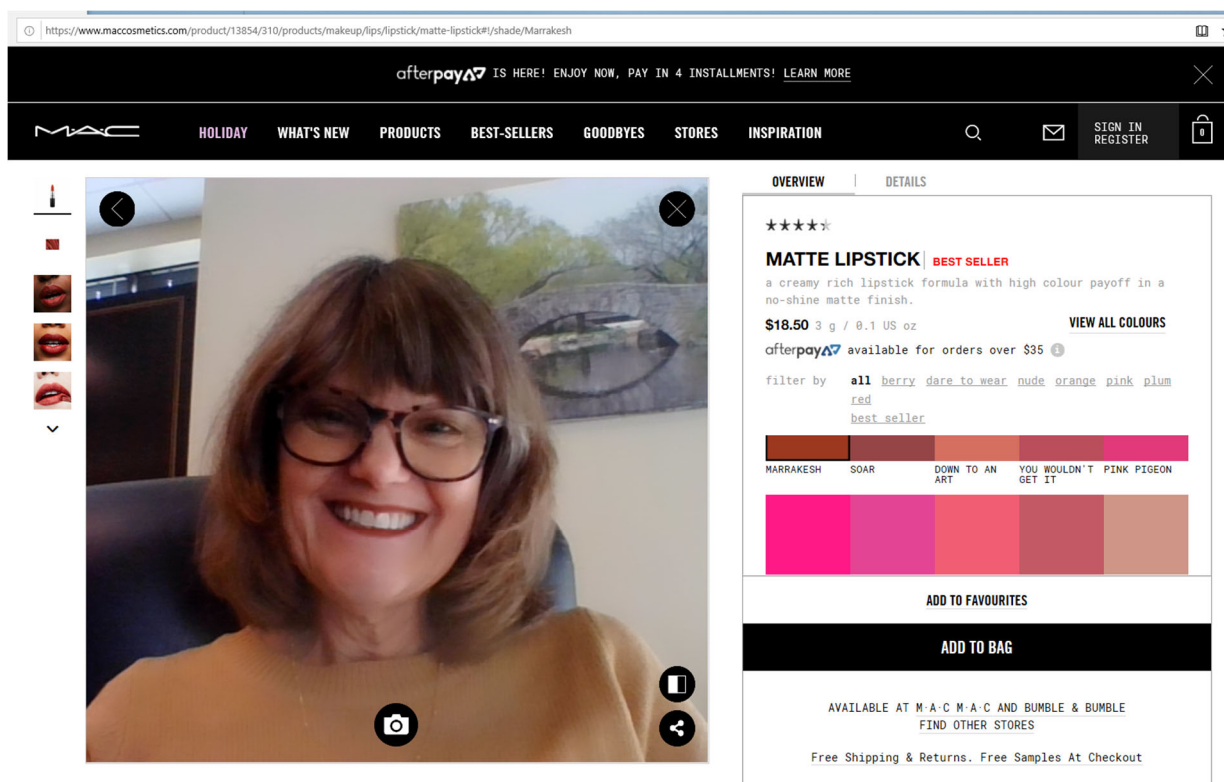
55. Charts showing Defendant Estée Lauder's direct infringement of Claim 18, and other Claims of the '843 Patent, are attached hereto as Exhibits 4 and 5.

MAC

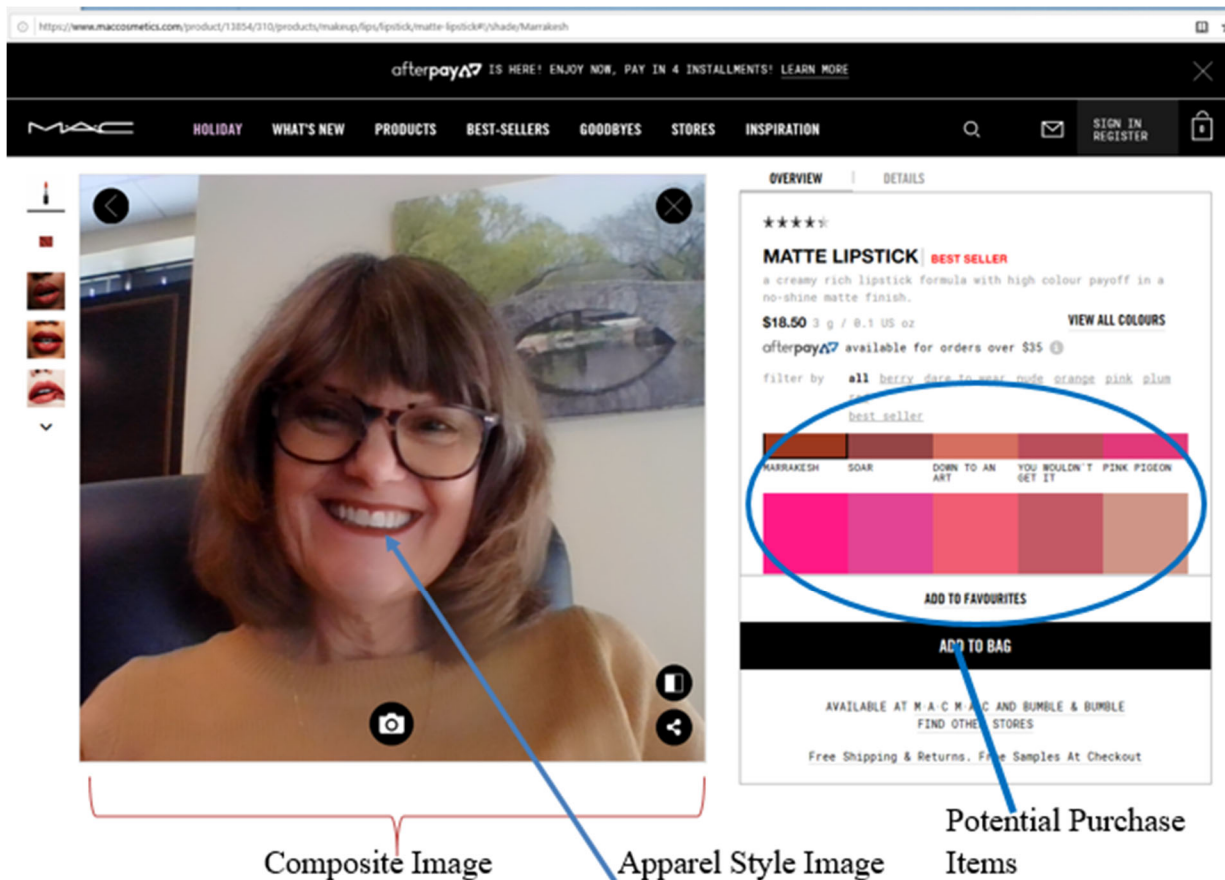
56. Defendant MAC's Website Try-on Tool provides a method for manipulating a customer image corresponding to a customer.

57. The MAC Website Try-on Tool accesses a user's computing device's camera, or similar input device, to capture a customer image, as shown below:



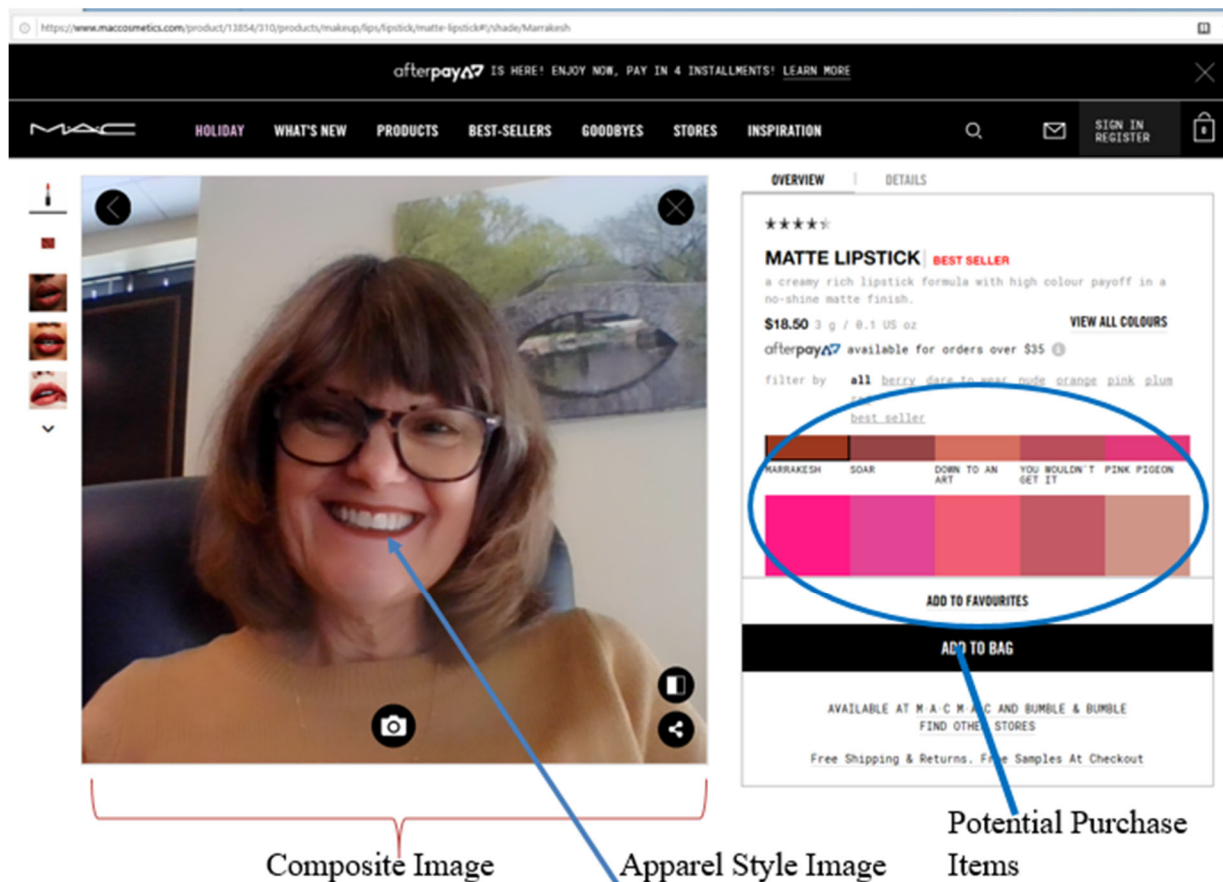
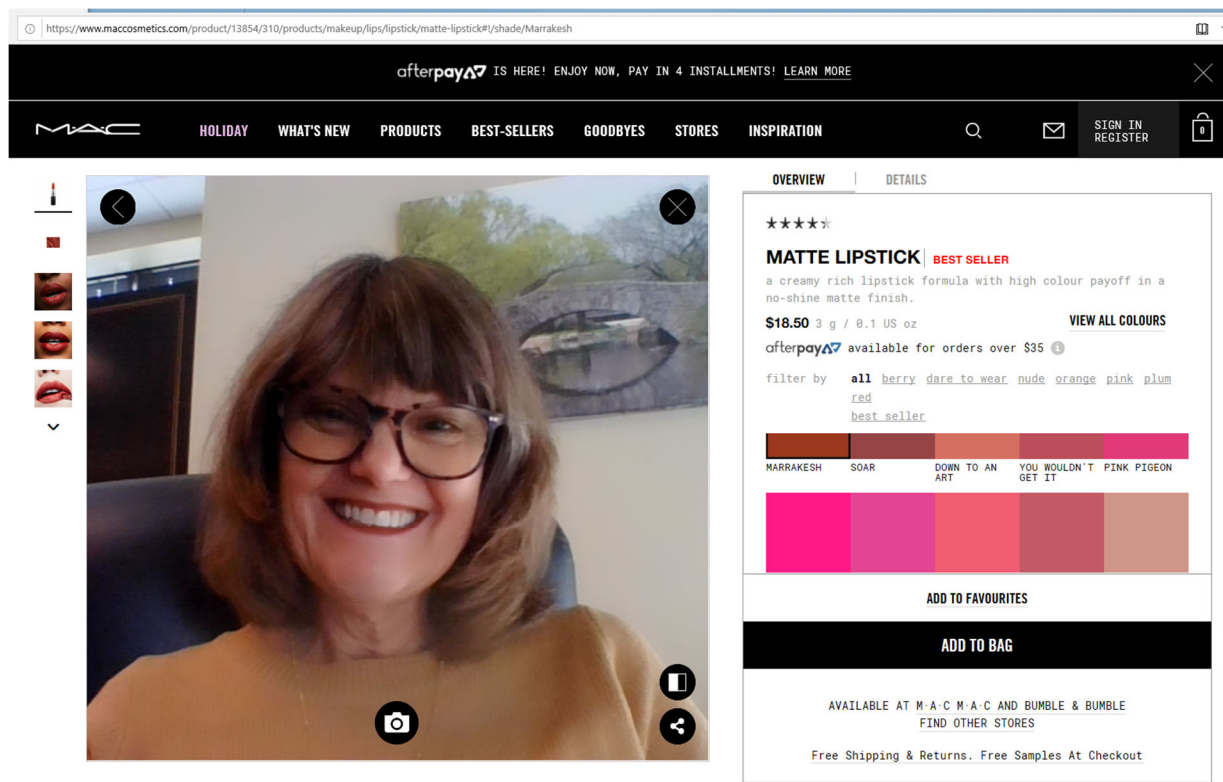


58. The MAC Website Try-on Tool generates a composite image comprising the customer image and one of at least one apparel style image corresponding to a potential purchase item including by retrieving the customer image in response to a request for the composite image. For example, as shown below, using the MAC Website Try-on Tool, a customer may select from a variety of makeup products (*i.e.*, potential purchase items). For each selected product, the MAC Website Try-on Tool generates a composite image comprising the customer image and at least one apparel style image, which corresponds to a potential purchase item. Defendant MAC retrieves the customer image from the user's computing device, MAC's server(s), or both in response to a request for a composite image, such as in response to a user's selection of a particular product.



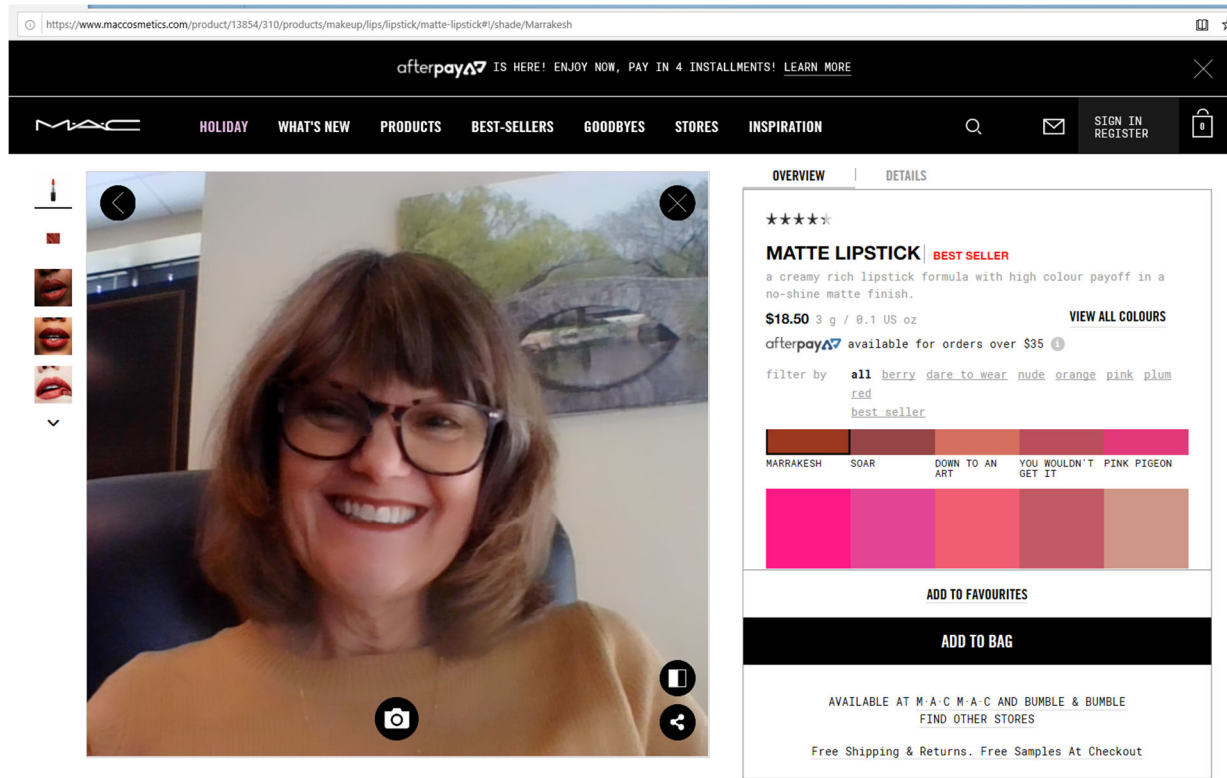
59. The MAC Website Try-on Tool displays the composite image thereby allowing the customer to assess the potential purchase item without having to try it on. For example, the MAC Website Try-on Tool displays images of the customer and the at least one apparel style image on the user's mobile device such that the user is able to assess a potential purchase item, such as MAC "Matte Lipstick," without having to try it on, as shown above.

60. As shown below, the MAC Website Try-on Tool stores the customer image, for example, on the user's computing device, MAC's server(s), or both. The MAC Website Try-on Tool retrieves the customer image in response to a request for the composite image. For example, MAC retrieves the customer image from the user's computing device, MAC's server(s), or both in response to a request for a composite image, such as in response to a user's selection of a particular product, for example, such as MAC "Matte Lipstick."



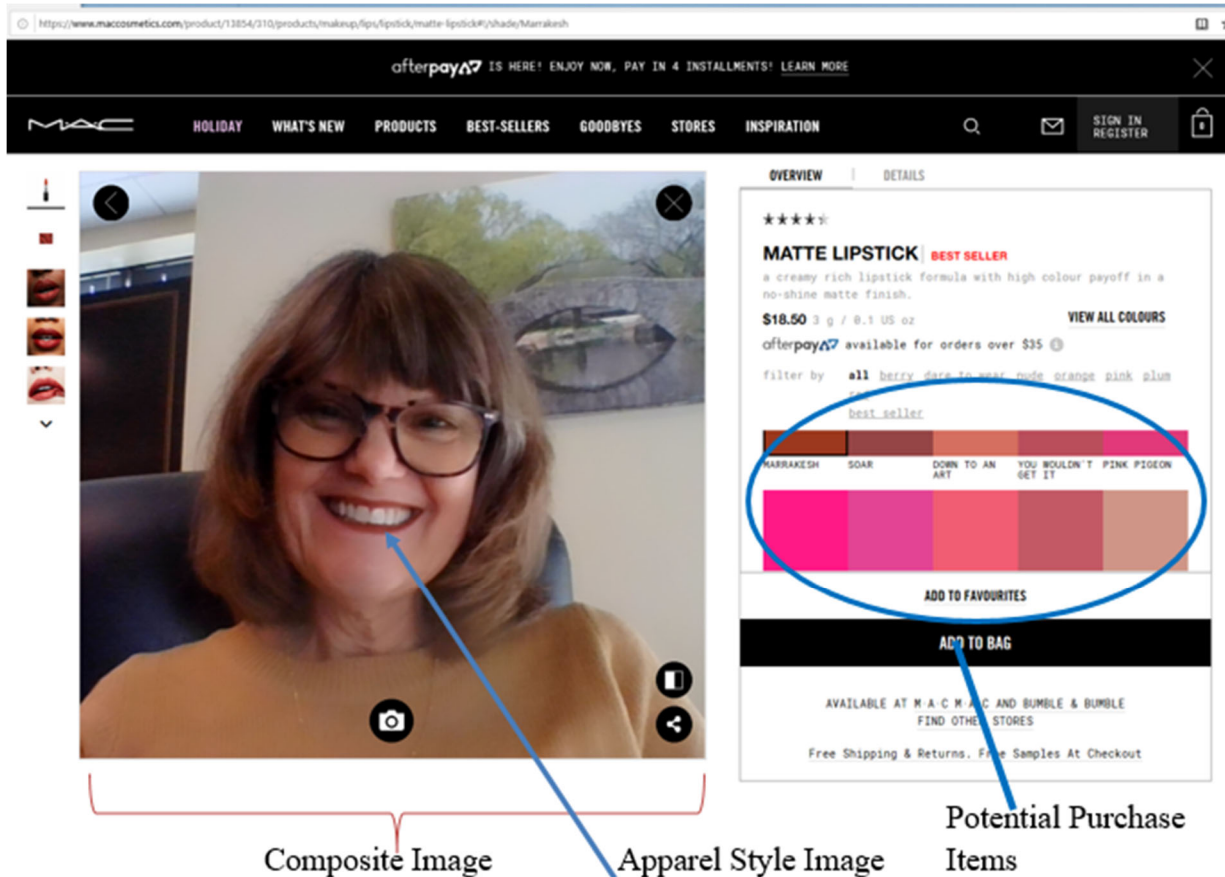
61. Additionally, the MAC Website Try-on Tool displays the composite image by (a) detecting the presence of a person near a display; (b) determining that the person corresponds to the customer image; and (c) displaying the composite image in response to the step of determining.

62. For example, the MAC Website Try-on Tool detects the presence of a person near a camera or similar video input apparatus of a user's mobile device, as shown below:



63. The MAC Website Try-on Tool determines that the person corresponds to the customer image by analyzing the input image and searching for the person's face within the input image. If the person's face within the input image, near the display, is appropriately positioned within the detection area, then MAC Website Try-on Tool determines that the person corresponds to the customer image.

64. Once the MAC Website Try-on Tool has determined that the person corresponds to the customer image, a composite image is displayed using the customer image and the at least one apparel style image, such as MAC “Matte Lipstick,” as shown below:



65. Furthermore, the MAC Website Try-on Tool determines that the person corresponds to the customer image by comparing biometric information of the person with the customer image. For example, the MAC Website Try-on Tool compares the size and/or shape of the customer’s facial features, such as lips, with respect to the customer image.

66. Accordingly, Defendant MAC has been and is now directly infringing one or more claims of the ’843 Patent, including Claim 18, in violation of 35 U.S.C. § 271(a), by making, using, selling, offering for sale or importing in the United States its MAC Website Try-on Tool, which manipulates a customer image corresponding to a customer.

67. In addition and/or in the alternative, Defendant MAC has been and/or is now indirectly infringing one or more claims of the '843 Patent and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271(b) by inducing its customers to directly infringe the '843 Patent through their use of the infringing MAC instrumentalities. Defendant MAC induces such infringement by at least making its MAC Website Try-on Tool available to customers and providing links and directions to the same as well as providing instructions on its proper use and operation.

68. A chart showing Defendant MAC's direct infringement of Claim 18, and other Claims of the '843 Patent, is attached hereto as Exhibit 6.

69. As a direct and proximate consequence of the acts and practices of the Defendants in infringing, directly, and/or indirectly, one or more claims of the '843 Patent, Plaintiff has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under 35 U.S.C. § 284 in an amount to be determined at trial.

70. The limitation of damages provision of 35 U.S.C. § 287(a) is not applicable to Plaintiff.

DEMAND FOR JURY TRIAL

Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests the following relief:

(a) A judgment in favor of Plaintiff that Defendants have directly infringed and/or have indirectly infringed by way of inducement of one or more claims of the Asserted Patent;

(b) A judgment that Plaintiff has been irreparably harmed by the infringing activities of Defendants, and is likely to continue to be irreparably harmed by Defendants' continued infringement;

(c) A judgment and order requiring Defendants to pay Plaintiff damages adequate to compensate for infringement under 35 U.S.C. § 284, which damages may include lost profits but in no event shall be less than a reasonable royalty for their usage made of the inventions of the Asserted Patent, including pre- and post-judgment interest and costs, including expenses and disbursements;

(d) A judgment awarding treble damages against the Defendant for willful infringement pursuant to 35 U.S.C. § 284;

(e) A judgment awarding Plaintiff its costs as provided under Fed. R. Civ. P. 54(d)(1);

(f) A judgment for pre- and post-judgment interest on all damages awarded;

(g) A judgment awarding Plaintiff post-judgment royalties; and

(h) Any and all such further necessary or proper relief as this Court may deem just and equitable.

Dated: June 19, 2020

Respectfully submitted,

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